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Banning Harmful Restraint and Seclusion in public schools

By: Arzu Forough – WAAA President, CEO
For: Washington Autism Advisory Council
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This document does not provide legal advice. The best person to advise you is a special education attorney.

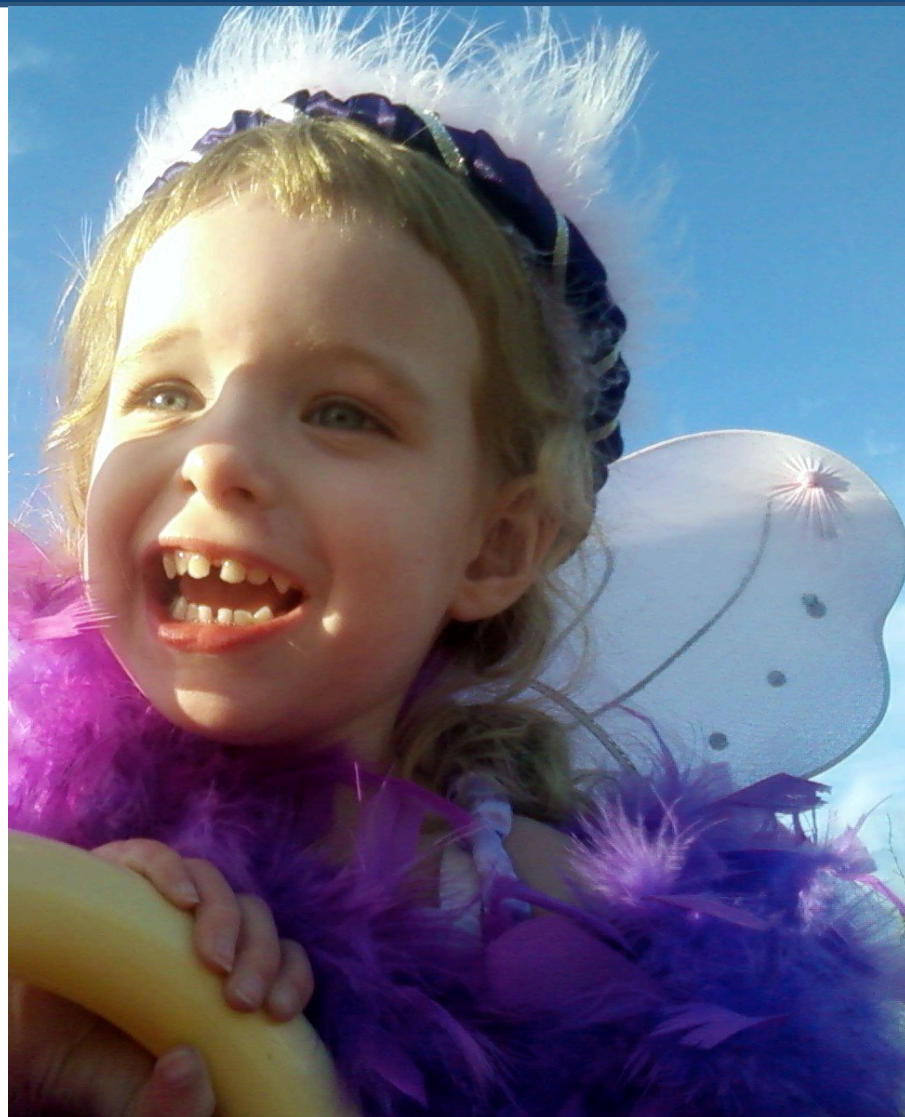
Background...

- **HB 1688** -System for reporting incidents of student restraint and isolation in public schools for students who have an individualized education program or plan developed under section 504.)
- **WSSDA Model Policy 3247:** too broad, unnecessarily harsh, and inconsistent with Washington's restrictions on isolation and restraint of special needs students.
- **WSSDA Model Policy 3247P:**
Under no circumstances will isolation, restraint or restraint devices be used for purposes of discipline or punishment.



The problem...

- WAAA member's child was restrained and isolated 105 times in the first 6 weeks of this school year (including 16 times in one day)
- Incidents around the state are far greater than the available data indicate.



Our proposed solution

1. Continue to allow the restraint and isolation of students with disabilities when there's an imminent danger of serious harm to a person or property, but not when the only threat is to disrupt the educational process;



Our proposed solution - Continued

2. Use the existing statutory definition of "likelihood of serious harm" (borrowed from the involuntary treatment statute) to more clearly delineate when it's permissible to use restraint or isolation;



Our proposed solution - Continued

3. Prohibit the planned use of restraint or isolation as part of an individual student's program;



Our proposed solution - Continued

4. Clarify that "isolation" does not include a child voluntarily going to a quiet space for self-calming;



Our proposed solution - Continued

5. Clarify that the parent notification law does not authorize use of isolation or physical restraint except in emergencies; and

**EMERGENCY
USE
ONLY**

Our proposed solution - Continued

6. Remove the list of restraint devices (i.e., handcuffs, pepper spray, tasers) from the parent notification law so as to clear up confusion as to whether the Legislature intended to authorize use of those devices.



How can you help?

- Stay tuned for bill #
- Call & write to your state representative and ask them to support & cosponsor
- Volunteer to testify in support
- Help inform others, ask them to support.



Reflections! Questions

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To find an advocate visit: <http://wp.me/P1lyhe-1gZ>